

Remarks

This is in response to the non-final Office Action mailed June 17, 2004. An Examiner's Interview was conducted with Applicant's Attorney Randall K. McCarthy, Reg. No. 39,297, on September 14, 2004 to discuss various issues relating to the Office Action, as reflected in the Interview Summary of even date. The Applicant's Attorney expresses his appreciation for the professionalism and courtesy extended by the Examiner during this interview.

Accordingly, a new replacement FIG. 3 has been submitted above. This new FIG. 3 adds a "SPINDLE DRIVER CONTROL LOGIC" block 322 with associated "TIMER" block 324. Other minor amendments are provided as well to FIG. 3 to improve the clarity and readability thereof. Support for these amendments is found in the specification including at page 7, line 27 to page 8, line 4; page 9, lines 1-3; page 6, line 11; and page 9, lines 7-8. Corresponding amendments to the specification have also been entered at pages 6-9.

The claims have been amended by the cancellation without prejudice of dependent claims 49-50 and the addition of new claims 51-52. Claim 41 has been amended to remove "receive." Claim 46 has been amended to change "a" to "the" for antecedent basis purposes.

These amendments are believed to be proper, do not introduce new matter, and serve to place the application in proper condition for reconsideration and allowance.

Objections to Claims

The Office Action objected to claims 46 and 49. Claim 46 has been amended and claim 49 has been cancelled, and it is submitted that these claim amendments obviate this objection.

Objections to Drawings

The Office Action objected to the drawings on the basis that the drawings must show every feature of the invention specified in the claims. FIG. 3 has been amended as discussed above, and it is submitted that these drawing amendments obviate this objection.

Rejection of Claims Under 35 U.S.C. §112

The Office Action rejected claims 34-40 and 47-51 under 35 U.S.C. §112, first paragraph, for failure to comply with the enablement requirement. It is believed that this objection has now been obviated as reflected in the Examiner's Interview Summary, in that the claims are enabled by the written description including at page 9, lines 13-23.

Rejection of Claims Under 35 U.S.C. §§ 102-103

The Office Action rejected claims 34-36, 38-40, 47, 48 and 51 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,574,608 issued to Fukuoka ("Fukuoka '608"), and rejected claims 41-43, 45 and 46 under §102(b) as being anticipated by U.S. Patent No. 4,804,901 issued to Pertessis ("Pertessis '901).

The Office Action further rejected claim 44 under 35 U.S.C. §103(a) as being obvious over Pertessis '901 in view of U.S. Patent No. 4,410,845 issued to Lockyear

("Lockyear '845"), and rejected claim 49 under §103(a) over Fukuoka '608 in view of U.S. Patent No. 5,017,854 to Gully et al. ("Gully '854). These rejections are respectfully traversed.

None of the cited references disclose, teach or suggest removing power from a load when the cumulative amount of charge is at least equal to a predetermined value, the predetermined value selected to control an output characteristic of the power supply, as recited by independent claims 34, 41 and 47. It is thus believed that the claims define subject matter that is patentable over the cited references. Reconsideration and withdrawal of the above rejections are accordingly solicited.

Supplemental Information Disclosure Statement

As discussed during the Examiner's Interview, a Supplemental Information Disclosure Statement (IDS) is being submitted herewith to recite two (2) additional references, U.S. Patent No. 6,577,088 and U.S. Patent No. 6,710,567, both assigned to the assignee of the present application. The '567 patent is a continuation-in-part of the present application. It is believed that the claims of the present application are patentably distinct over these references as well.

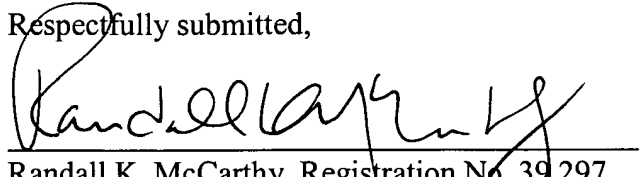
Conclusion

This is intended to be a complete response to the non-final Office Action mailed June 17, 2004. The Applicant respectfully requests reconsideration and allowance of all of the claims pending in the application.

The Examiner is invited to contact the below signed attorney should any questions arise concerning this response.

Respectfully submitted,

By:


Randall K. McCarthy, Registration No. 39,297
Mitchell K. McCarthy, Registration No. 38,794
Fellers, Snider, Blankenship, Bailey and Tippens
100 N. Broadway, Suite 1700
Oklahoma City, Oklahoma 73102
Telephone: (405) 232-0621
Facsimile: (405) 232-9659
Customer No. 33900

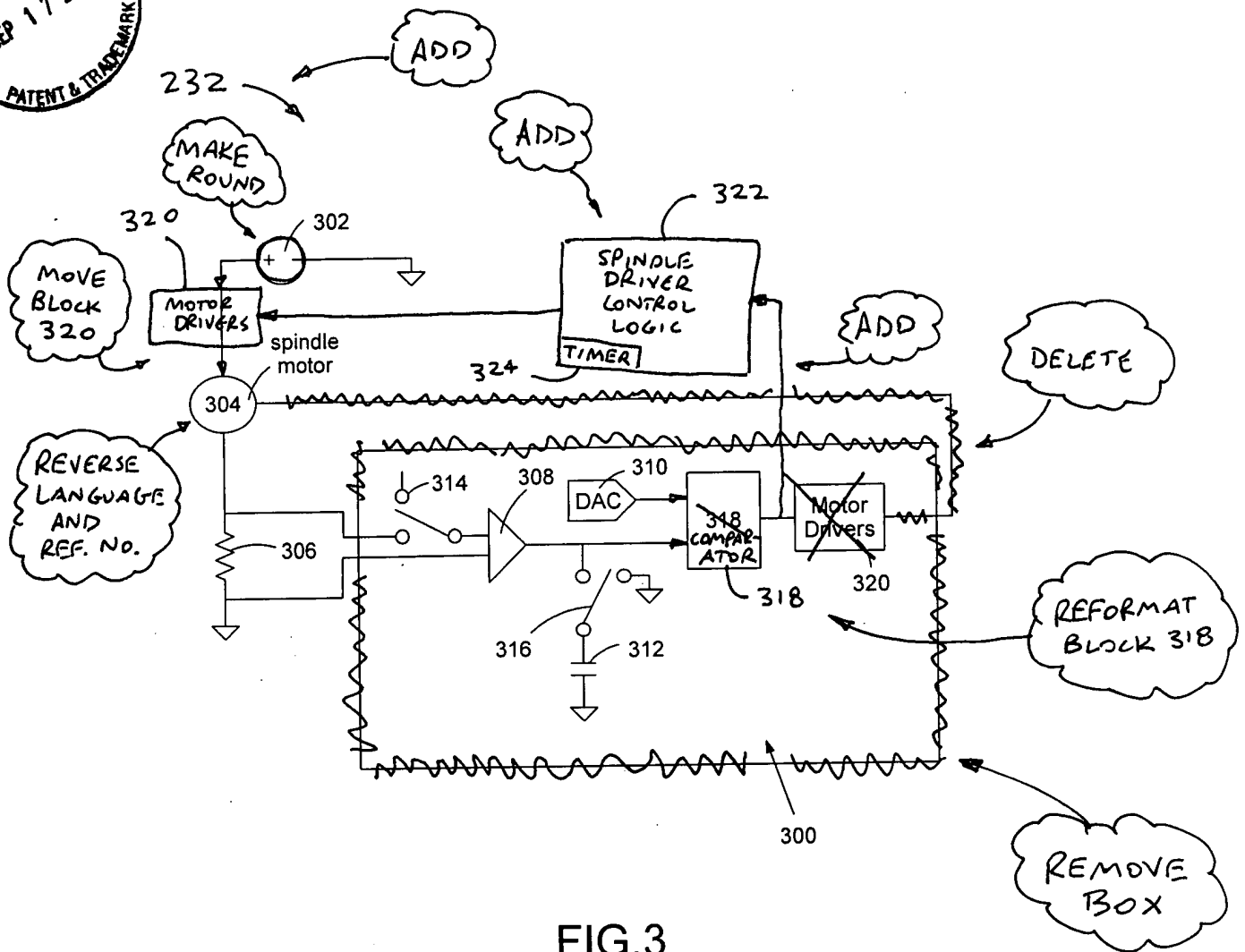
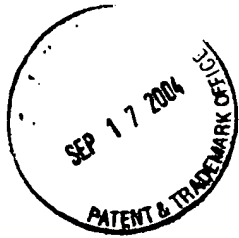


FIG.3

In the Drawings:

The attached sheet of drawings includes changes to FIG. 3. This sheet replaces the original sheet including FIG. 3.

The drawings in FIG. 3 have been resized for readability and arrows added to better indicate flow. In addition, the following changes have been made to FIG. 3:

1. Numeral 232 and leadline have been added.
2. The circle at 302 has been rounded.
3. Block 320 has been moved.
4. Reference numeral 304 and language have been reversed.
5. Added block 322 Spindle Driver Control Logic with sub-block 324 Timer.
6. Lines to and from block 322 have been added
7. Block 318 Comparator has been reformatted.
8. Block 320 has been deleted.
9. Extraneous lines have been removed.

Attachment: Replacement Sheet
Annotated Sheet Showing Changes